

IN THE UNITED STATES DISTRICT COURT
FOR THE Western DISTRICT OF TENNESSEE

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DIVISION

CLERK, U.S. DIST. COURT
WESTERN DIST. OF TENN

Gregory D. Douglas Name

Prison Id. No. _____

Name

Prison Id. No. _____

Plaintiff(s)

v.

Damon T. Hininger Name

as Ceo and President of Core Civic / Correctional
Corporations of America Individually

& wholly, Brandon E. Bowers, Joshep J. Froio, Name

Defendants

(List the names of all the plaintiffs
filing this lawsuit. Do not use "et
al." Attach additional sheets if
necessary

Civil Action No. _____
(To be assigned by the Clerk's)
office. Do not write in this space.)

Jury Trial ☒ Yes ☐ No

(List the names of all defendants
against whom you are filing this
lawsuit. Do not use "et al." Attach
additional sheets if necessary.

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS
FILED PURSUANT TO 42 U.S.C. § 1983

1. Previous lawsuits (The following information must be provided by each plaintiff.)

A. Have you or any other plaintiffs in this lawsuit filed any other lawsuits in the
United States District Court for the Middle District of Tennessee, or in any other
federal or state court?

Y Yes

☒ Y No

B. If you checked the box marked "Yes" above, provide the following information:

1. Parties to this previous lawsuit:

Plaintiffs: _____

Defendants: _____

N/A

2. In what court did you file the previous lawsuit? N/A

(If federal court, name of the District; if you filed the lawsuit in state court, provide the name of the state and the County):

3. What was the case number of the previous lawsuit? N/A

4. What was the Judge's name to whom case was assigned? N/A

5. When did you file the previous lawsuit? N/A (Provide the year, if you do not know the exact date.)

6. What was the result of the previous lawsuit? For example, was the case dismissed, appealed, or still pending? N/A

7. When was the previous lawsuit decided by the court? N/A (Provide the year, if you do not know the exact date.)

8. Did the circumstances of the prior lawsuit involve the same facts or circumstances that you are alleging in this lawsuit?

Y Yes Y No

N/A

(If you have filed more than one prior lawsuit, list the additional lawsuit(s) on a separate piece of paper, and provide the same information for the additional lawsuits.)

II. THE PLAINTIFF'S CURRENT PLACE OF CONFINEMENT (The following information must be provided by each plaintiff.)

A. What is the name and address of the prison or jail in which you are currently incarcerated? West Tennessee State Penitentiary

P.O. Box 115 Henning, TN 38041

B. Are the facts of your lawsuit related to your present confinement?

Y Yes

Y No

C. If you checked the box marked "No" in question II.B above, provide the name and address of the prison or jail to which the facts of this lawsuit

pertain. South Central Correctional Complex / Facility
P.O. Box 279 Clifton, TN 38425

D. Do the facts of your lawsuit relate to your confinement in a Tennessee Prison? ☒ Y Yes ☐ Y No

If you checked the box marked "No," proceed to question II.H.

E. If you checked the box marked "Yes" in question II.D above, have you presented these facts to the prison authorities through the state grievance procedure?

☒ Y Yes ☐ Y No

F. If you checked the box marked "Yes" in question II.E. above:

1. What steps did you take? I filed several grievances
threw the State Grievance Administration, & Title V I

2. What was the response of prison authorities? To No avail they always
found reason not to process the grievances & complaints
some even came up missing completely.

G. If you checked the box marked "No" in question II.E above, explain why not.

H. Do the facts of your lawsuit pertain to your confinement in a detention facility operated by city or county law enforcement agencies (for example, city or county jail, workhouse, etc.)?

Y Yes ☒ Y No

I. If you checked the box marked "Yes" in question II.H above, have you presented these facts to the authorities who operate the detention facility?

Y Yes ☐ Y No

N/A

J. If you checked the box marked "Yes" in question II.I above:

1. What steps did you take? N/A

2. What was the response of the authorities who run the detention facility?

N/A

Attach copies of all grievance related materials including, at a minimum, a copy of the grievance you filed on each issue raised in this complaint, the prison's or jail's response to that grievance, and the result of any appeal you took from an initial denial of your grievance.

III. PARTIES TO THIS LAWSUIT

A. Plaintiff(s) bringing this lawsuit:

1. Name of the first plaintiff: Gregory D. Douglas
Prison Id. No. of the first plaintiff: 458144
Address of the first plaintiff: W.T.S.P P.O. Box
1150 Henning, TN 38041

(Include the name of the institution and mailing address, including zip code. If you change your address you must notify the Court immediately.)

2. Name of second plaintiff: _____
Prison Id. No. of the second plaintiff: _____
Address of the second plaintiff: _____

(Include the name of the institution and mailing address, including zip code. If you change your address you must notify the Court immediately.)

If there are more than two plaintiffs, list their names, prison identification numbers, and addresses on a separate sheet of paper.

B. Defendant(s) against whom this lawsuit is being brought:

1. Name of the first defendant: Damon T. Hininger
Ceo and President of Core Civic / Correctional
Corporations of America
The first defendant's address: N/A
S.C.C.F P.O. Box 279 Clifton, TN 38425

Named in official capacity? ☐ Yes ☐ No

Named in individual capacity? ☒ Yes ☐ No

2. Name of the first defendant: Brandon E. Bowers

The first defendant's address: N/A
S.C.C.F P.O. Box 279 Clifton, TN 38425

Named in official capacity? ☒ Yes ☐ No

Named in individual capacity? ☐ Yes ☐ No

If there are more than two defendants against whom you are bringing this lawsuit, you must list on a separate sheet of paper the name of each additional defendant, their place of employment, their address, and the capacity in which you are suing them. If you do not provide the names of such additional defendants, they will not be included in your lawsuit. If you do not provide their proper name, place of employment, and address, the Clerk will be unable to serve them should process issue.

IV. STATEMENT OF FACTS

State the relevant facts of your case as briefly as possible. Include the dates when the incidents or events occurred, where they occurred, and how each defendant was involved. Be sure to include the names of other persons involved and the dates and places of their involvement.

If you set forth more than one claim, number each claim separately and set forth each claim in a separate paragraph. Attach additional sheets, if necessary. Use 8½ in. x 11 in. paper. Write on one side only, and leave a 1 in. margin on all four sides.

"Eighth Amendment Excessive Force Claim"

On 10-2-16 I was housed at S.C.C.F P.O. Box 279 Clifton, IN 38425 Unit Skylab S/co Tafner came to my door and tell me to pack up I was moving to another cell. I ask her where? she said it doesnt matter pack up. So a hour or so later S/co Martinez and C/O Froio come to my door and tell me come on. So I'm thinking I'm going to another cell in Skylab cause I've been housed in Seg. for 6 months on R.C.A due to incompatibles on the compound. So as I'm coming out I ask the co's where I'm going they tell me Gemini A pod on the compound. I tell them no I'm not yell know I have incompatibles on the compound and I got a right to personal safety under due process and The Eight Amendment. I hear S/co Martinez and C/O Froio talking saying he been back here months he gone get his punk ass out of here now come on you moving. So I end up in a physical altercation with S/co Martinez and C/O Froio they mace me and I lay on the ground and let them handcuff me to the back. As I'm on the ground in handcuffs S/co Martinez is spraying me constantly while saying you black motherfucker

V. RELIEF REQUESTED: Specify what relief you are requesting against each defendant.

- A. Damon T. Hininger as Ceo's President One million Dollars in
B. Compensatory and Ponitive Damages

- C. Brandon E. Bowers Compensatory and Punitive
Damages
- D. Joshep J. Froio Compensatory and Punitive
Damages
- E. Coreen G. Trafton Compensatory and Punitive
Damages
- F. I request a jury trial. ☒ Y ☐ Yes ☐ Y ☐ No

VI. CERTIFICATION

I (we) certify under the penalty of perjury that the foregoing complaint is true to the best of my (our) knowledge and belief.

Signature: [Signature] Date: 8-31-17

Prison Id. No. 458144

Address: W.T.S.P P.O. Box 1150
Henning, TN 38041
(Include the city, state, and zip code.)

Signature: _____ Date: _____

Prison Id. No. _____

Address: _____

(Include the city, state, and zip code.)

ALL PLAINTIFFS MUST SIGN AND DATE THE COMPLAINT, and provide the information listed above. If there are more than two plaintiffs, attach a separate sheet of paper with their signatures, dates, prison identification numbers, and addresses.

ALL PLAINTIFFS MUST COMPLETE, SIGN, AND DATE SEPARATE APPLICATIONS TO PROCEED IN FORMA PAUPERIS, if not paying the civil filing fee.

SUBMIT THE COMPLAINT, THE REQUIRED FILING FEE, OR APPLICATION TO PROCEED *IN FORMA PAUPERIS* TOGETHER. Complaints received without the required filing fee or application to proceed *in forma pauperis* will be returned. Filing fees, or applications to proceed *in forma pauperis*, received without a complaint will be returned.

In The United States District Court
For The Western District of Tennessee
_____ Division

Gregory D. Douglas
Plaintiff

v.

Defendants

Damon T. Hininger as CEO and President
of Core Civic / Correctional Corporations of America
Individually & wholly, Brandon E. Bowers,
Joseph J. Froio, Coreen G. Trafton

Civil Action No _____

To be assigned by The Clerk

'Jury Trial Demanded'

Defendants Address

S.C.C.F P.O. Box 279

Clifton, TN 38425

Statements of Facts Continuance

I'm in compliance I'm not resisting so by now back up officers come Lt. Ward and S/CO Trafner come and I'm laying on the floor in Skylab C-pod in compliance for about 3 to 5 minutes. Then they get me up and walk me out the pod took me in the core area ran my face and head into the wall then took me in a small room in Skylab core area while still in restraints handcuffs to the back I hear them say now his turn. They start repeatedly beating my face & head against the wall. Pulling my hair, bending my arms, throwing me from the floor to the ground, while kicking and punching me repeatedly. I'm a bloody mess by now. So I hear the nurse come in and say hey get him to medical! So I open my eyes to see who all it was I see Lt Ward, Captain, Inman, S/CO Trafner, CO Bowers, and CO Froio. I go to the clinic and the nurses say my wounds were to severe for them to handle I gotta go to the outside hospital. I was rushed to Wayne County Hospital where I was treated for a broken nose & both of my eyes glued back together. I was housed in the clinic for about 7 to 8 weeks due to the injuries & healing process.

Extreme Racial Discrimination was showed against me & Extreme Excessive Force was used against me. Ok See.

Bogan v. Stroud, 958 F.2d 180, 185 (7th Cir. 1992)

beating a prisoner with fist because he had been disrespectful violated 8th Amendment and was unconstitutional even though he had stabbed an officer) Also see. *Jones v. Hoff*, 787 F. Supp. 526, 536 (N.D.N.Y.) slapping and punching a handcuffed inmate violated the Eighth Amendment)

Liability for Force, Bystanders, Supervisors, and Municipalities
Law Enforcement officers may be held liable not only for using Excessive Force but for failing to intervene when others are doing so.